ARTICLE 39   **AMEND ZONING BY-LAW**
                                              MAXIMUM HEIGHT OF STRUCTURES

To see if the Town will vote to amend the Zoning By-Law to reduce the maximum height of one-family and two-family dwellings located near lot lines, or act in any other manner in relation thereto.

(Inserted at the request of the Planning Board)

DESCRIPTION: This article would limit the height of new houses or additions located close to lot lines.

4.3.5 Height of dwellings near lot lines. The height of a single-family or two-family dwelling may not exceed the maximum height from Table 2 or 20 feet plus 4/3 times the smallest distance from the dwelling to a lot line, whichever is less.

6.9.5.3 Yard & Height Requirements. Yards required by § 135-4.0 and the height limit of § 135-4.3.5 apply to the perimeter of the site, but are not applicable within the site.

8.4.1 No Increase in Nonconforming Nature. Nonconforming one-family and two-family dwellings may be reconstructed, extended, altered, or structurally changed, or a new accessory structure may be constructed, upon a determination by the Building Commissioner that the nonconforming nature of the structure is not increased. Such determination will be deemed to be as of right and the applicant entitled to the issuance of a building permit where each structure is reconstructed, extended, altered, or changed so as to (a) contain the improvements within the site coverage and height of an existing structure; or (b) comply with the ~~following side yard requirements and the front and rear yard requirements of § 135-4.0~~applicable yard, floor area ratio, site coverage, and height requirements of § 4.0, except that the side yard may be reduced as noted below:

If actual lot frontage is	Side yard must be at least
~~100 feet or more~~	~~Not less than 15 feet~~
More than 75 feet but ~~less~~ not more than 100 feet	~~Not less than~~ 12 feet
More than 50 feet but not more than 75 feet	~~Not less than~~ 10 feet
More than 0 feet but not more than 50 feet ~~or less*~~	~~Not less than~~ 7.5 feet

~~**NOTES:**~~

~~*~~ ~~but not 0~~